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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Signature

Seiji Kashioka

12/20/2011

Date

Type or Printed name

19743 Vista Hermosa Dr.

Registration Number, If applicable

949-454-0331

Address

Telephone Number

Walnut, CA 91789

Address

Enclosures:

 Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

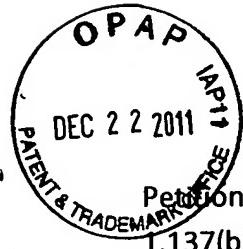
Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate



Petition for revival of an application for patent abandoned unintentionally under 37 CFR 1.137(b)

Application No. : 10/593,889

Applicant of above application failed to submit correct action in time after received final rejection on 05/24/2011. But this was because of misunderstanding of the applicant about due date.

To explain the situation, chronological events are shown under:

No.	Date	Side *	Event
1	05/24/2011	PTO	Office action of Final Rejection was sent
2	08/23/2011	Apct	Response to office action was sent with amended claims. But it includes new issue to be examined.
3	09/22/2011	PTO	Advisory Action: 3 options were suggested (1)amendment, (2)Appeal , (3)RCE
4		Apct	Applicant misunderstood due date for necessary action was 3 months from the Advisory Action (=12/22/2011)
5	12/17/2011	PTO	e-mail which checked if any action had been sent or not.
6	12/17/2011	Apct	e-mail which told applicant were going to send reply (amendment) until 12/22.
7	12/18/2011	PTO	e-mail which told time was already expired (with maximum extension on 11/24/2011) but there was a way to revive the application by petition.

*Side: PTO: USPTO, Apct: Applicant

From above events, it is obvious that applicant misunderstood the due date and have had intention not to abandon the application. The applicant/inventor is an individual doing application by himself, and further he is non-native English speaker.

I petition the application is revived.

Sincerely

12/20/2011

Seiji Kashioka